



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

Post Office Box 12267
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May 2, 2007

The Honorable Robert W. Harrell, Jr.
Speaker of the House of Representatives
Post Office Box 11867
Columbia, South Carolina 29211

Dear Mr. Speaker and Members of the House:

I am hereby vetoing and returning without my approval H. 3509, R-36.

This bill allows a local government to create and operate a local housing trust fund. Though I admire the intent of those who have worked on this legislation, local governments are already able to create and operate these funds by simply enacting a local ordinance, which renders this legislation duplicative and as a consequence unnecessary. Nothing in this legislation enhances the ability of these trust funds in their ability to draw down local, state, or federal funding. Local housing trust funds would have that ability even without this legislation.

The South Carolina Attorney General's Office issued an opinion just last year that clarifies that a local government has the legal ability to establish a local housing trust fund pursuant to S. C. Code section 5-7-30 and the Home Rule amendments to the S. C. Constitution.

While the spirit of this bill is to help low-income families across the state – and in this we appreciate the dedication and hard work of the late Senator Mescher for whom this bill is named – it is confusing at best to tell local governments that we believe in Home Rule while continuing to pass down redundant legislation from Columbia. If the intent of the legislation is to create a vehicle for private donations, this, too, can already be accomplished at the local level. As I have stated in the past, the South Carolina Housing Authority, the Office of Human Affairs, and various non-profit entities are already involved in helping low income families find affordable housing. It strikes me that adding one more government entity to do essentially the same thing would allow the structure to consume more of the dollars dedicated to this mission, leaving less for those we intend to help.

For these reasons, I am vetoing H. 3509, R-36, and returning it without my approval.

Sincerely,

A handwritten signature in dark ink, appearing to be "MS", written over a horizontal line.

Mark Sanford

cc: The Honorable Harold Mitchell, Jr.